

REMARKS

Claims 1-5, 7 and 9 are pending in this application. By this Amendment, claims 1 and 7 are amended, and claim 8 is canceled without prejudice to or disclaimer of the subject matter recited therein. No new matter is added. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Claim 7 is amended to correct antecedent basis.

The Office Action rejects claims 1-5 and 7-9 under 35 U.S.C. §102(e) over U.S. Patent No. 6,768,461 to Heubner et al. (Heubner). This rejection is respectfully traversed.

Claim 1 recites that a planar element has a rectangular cut-out portion formed at an edge portion opposite to the ground pattern side of said planar element. This feature was recited in canceled claim 8 and is shown in Fig. 6, for example.

On the other hand, as clearly shown in Fig. 4 and as described at col. 2, lines 16-19, Heubner specifically teaches that a first element 18 (allegedly corresponding to the recited planer element) has an elliptical shape, preferably circular or round. Heubner does not teach or suggest any rectangular cut-out portion, as recited in claim 1.

The Advisory Action states that Heubner discloses the cut-out portion formed at an edge portion opposite to the ground pattern side of planer element in order to get an elliptical shape, the circular or round planer element and that without the cut-out portion, the planer element should be different shape.

However, Applicant respectfully submits that the cut-out portion is a structure of the planer element, not how it is made. In other words, the end product has the cut-out portion, which is clearly shown in Fig 6, for example. The Office Action's assertion is clearly related to a method by which Heubner's first element 18 is formed. Moreover, Heubner does not specifically teach or suggest how the first element 18 is formed, and thus the Office Action's

assertion is based on assumption and impermissible hindsight knowledge gained from Applicant's disclosure. Thus, this assertion is improper.

Accordingly, Applicant respectfully submits that claim 1 is patentably distinct from Heubner.

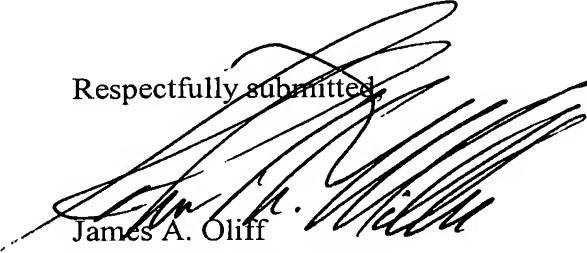
Claims 2-5, 7 and 9 are allowable at least for their dependence on claim 1, as well as for the additional features they recite.

At least for these reasons, Applicant respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 7 and 9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted



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Attachments:

Petition for Extension of Time
Request for Continued Examination
Information Disclosure Statement

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